

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA)
)
)
v.) Case No. CR408-315
)
ANTONIO DAWON WOODLEY)

REPORT AND RECOMMENDATION

On May 5, 2009, the Court ordered a forensic psychological examination of defendant Antonio Dawon Woodley in accordance with 18 U.S.C. § 4241(a) and (b) to assist the Court in determining whether Woodley is presently suffering from a mental disease or defect rendering him mentally incompetent to extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.¹ (Doc. 543.) Pursuant to the Court's Order, Woodley was transported to the Federal Correctional Institution in Fort Worth, Texas, where he underwent a comprehensive psychological

¹ The Court also directed the examiners to determine whether the defendant was insane at the time of the charged offense. (Doc. 543.)

evaluation. The forensic psychologists found that defendant was competent to stand trial. (Doc. 752.)

While defendant has declined to stipulate to the report's findings, his counsel has conceded in a letter² that he has no evidence to present on the issue. In addition, he has informed the Court that he does not desire to cross-examine the experts who evaluated Woodley and who prepared the forensic report. Having had the opportunity to interact with the defendant at an earlier hearing, the Court concurs with the forensic report. Based upon that interaction and the unrebutted psychological evidence, it is **RECOMMENDED** that defendant be found competent to stand trial pursuant to 18 U.S.C. § 4241.

SO REPORTED AND RECOMMENDED this 28th day of October, 2009.

s/ G.R. SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

² The Clerk is **DIRECTED** to docket the letter as a filing in the record and to attach it to the service copies of this Order.